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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

Case No. MJ22-299-1

11 v.

DETENTION ORDER

12 JUAN E. HERNANDEZ,

13 Defendant.

14 Offenses charged:

15 Mr. Hernandez is charged with possession of a controlled substance with intent to
16 distribute, 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 18 U.S.C. § 2. The Court held a detention
17 hearing on July 8, 2022, pursuant to 18 U.S.C. § 3142(f), and based upon the reasons for
18 detention hereafter set forth, finds:

19 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 20 1. There is a rebuttable presumption that the court cannot set conditions to ensure the
21 appearance of the defendant of the safety of community pursuant to 18 U.S.C. §
22 3142(e).
- 23 2. Mr. Hernandez stipulated to detention.

3. Mr. Hernandez poses a risk of nonappearance due to his history of failures to appear. In addition, his personal history and ties to this district are unknown. Mr. Hernandez poses a risk of danger due to the nature of the offense. Based on these findings, and for the reasons stated on the record, there does not appear to be any condition or combination of conditions that will reasonably assure Mr. Hernandez appearance at future court hearings while addressing the danger to other persons or the community.

4. Taken as a whole, the record does not effectively rebut the presumption that no condition or combination of conditions will reasonably assure the appearance of Mr. Hernandez as required and the safety of the community.

IT IS THEREFORE ORDERED:

- (1) Mr. Hernandez shall be detained pending trial, and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
 - (2) Mr. Hernandez shall be afforded reasonable opportunity for private consultation with counsel;
 - (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which Mr. Hernandez is confined shall deliver him to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
 - (4) The Clerk shall direct copies of this Order to counsel for the United States, to

1 counsel for Mr. Hernandez, to the United States Marshal, and to the United
2 States Pretrial Services Officer.

3 Dated this 8 day of July, 2022.

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6 MICHELLE L. PETERSON
7 United States Magistrate Judge
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